"Yellow Jack" Good Draw, Capitol, N.Y.

CANADIAN MOVING PICTURE DIGEST

RAY LEWIS
Editor and Publisher

Vol. 30, No. 6 | TORONTO 2, CANADA | May 28th, 1938

• When "Yellow Jack" opened as a play, Brooks Atkinson, critic of the N.Y. Times, said: *"Sidney Howard has accomplished something of tremendous importance to the stage."*

• John Mason Brown of the Post said: *"It takes its place in the first rank of the season's offerings."*

...and Now M-G-M's production of

YELLOW JACK

is of tremendous importance to the *screen* and takes its place in the front rank of the season's motion picture offerings.

ROBT MONTGOMERY *Stars as Sgt. O'Hara*
•
VIRGINIA BRUCE *as Nurse Frances Black*
•
LEWIS STONE *as Dr. Walter Reed*
ANDY DEVINE
CHAS. COBURN
HENRY HULL
BUDDY EBSEN
SAM LEVENE
HENRY O'NEILL

Screen play by Edward Chodorov
Directed by George B. Seitz
Produced by Jack Cummings

NOW CAPITOL

B'WAY & 51st ST. • DOORS OPEN 9:45 A.M.
Major Edward Bowes, *Mng. Dir.*

Short Subjects
"COME ACROSS" *Crime Doesn't Pay Series*
"MODELING FOR MONEY" *A Pete Smith Specialty*

(See Inside Cover)

PUBLISHED BY
CANADIAN MOVING PICTURE DIGEST COMPANY LIMITED
259 SPADINA AVENUE, TORONTO 2

The Greatest Exploitation Picture of the Year

"YELLOW JACK" *starring* Robert Montgomery • Virginia Bruce *with* Lewis Stone • Andy Devine • Henry Hull • Charles Coburn • Buddy Ebsen Henry O'Neill • Screen Play by Edward Chodorov Directed by George B. Seitz Produced by Jack Cummings

An M-G-M Picture

Canadian Moving Picture DIGEST

Established 1915
Publication: Weekly
Subscription: $2.00 yearly
JAMES LEWIS SMITH
Associate Editor

Digest International Press Film Service syndicating 500 leading newspapers in Canada. U.S.A. and Great Britain.

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Editor and Publisher

THE LITTLE PAPER WITH THE BIG IDEAS
Easy to Digest"

Published by
Canadian Moving Picture Digest Company, Limited
259 Spadina Ave., Toronto
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Cable: Raydigest

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A CRAB'S TECHNIQUE FOR PROFIT

LET us go back in Motion Picture history, to those days of "shooting galleries", "poor projection", unknown stars, when a public crowded the theatres at low admission prices.

Theatres are healthier to-day, projection is better, pictures are better, and the world is star-conscious. What is wrong with our profits, outside of the fact that there are more exhibitors to consume the public-intake, that we have to give the public so much more to make any money, and that a few in the Industry want most of the money?

Shall we answer our own questions? Please!

There is no need for picture palaces. There is every need for seating comfort, good projection, good sound, ventilation, conveniences and above all Entertainment value in pictures, and at low admission prices. Woolworth and his kind never tried to give their public Persian rugs to walk on, pastel decorative schemes to feast the eye on, Madame Pompadour Rest Rooms in which to retire.

The price of their merchandise has been five, ten or fifteen cents on the average. The value has been there without any frills of presentation. The attendance has been, and is still large for those who are not looking for the frills, the others go to the exclusive shops, where you pay a 500% increase, not on value of product exclusively, but on overhead!

"Overhead" in theatre operation is the gamble for big circuits, not the product, for the latter has a chance of circulation, the former is in the classification of "frozen assets"!

Look at your big theatre. On the most expensive real estate sites of a town, or city, with five hundred seats, at least always empty, and eating up the profits. Look at the neighborhood houses, which are located where taxes and land values are low, seating capacity under a thousand, with a packed attendance.

It is these neighborhood theatres which have performed the same operation on the big downtown theatres as trucks and motors have performed upon railroads. The little neighborhood house is putting the big house out of business, because the little house meets the public demand!

The little house has not the spectacular grandeur of the big house, but the very same class of people go there as go to the big house with its costly expenditure and trappings. It is evident that the public is interested in the Entertainment value of a theatre, not its lighting or decorative scheme.

Why give the public more than it demands? Why give it twice as much value for what it spends? Why spoil it?

The damage is not irreparable in respect to a "spoiled theatre public", since it is possible to substitute convenience and comfort for glitter and "bunk" in the situation of Big House vs. Neighborhood Theatre; and this principle is applicable also, in respect to pictures. Go back to the one feature days, add a comedy, a news reel and call it an Evening's Entertainment.

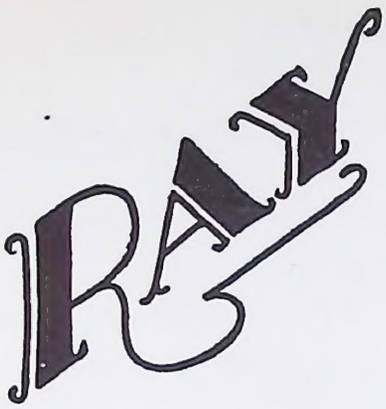
A crab crawls backward to go forward. Crawl back to ye good olde show days, and you will be moving forward with Prosperity.

The Broken Record

Every Date!

THE ADVENTURES OF
ROBIN HOOD
Photographed in Technicolor with
ERROL FLYNN
OLIVIA De HAVILLAND • BASIL
RATHBONE • CLAUDE RAINS
PATRIC KNOWLES • EUGENE PALLETTE
ALAN HALE • MELVILLE COOPER
IAN HUNTER • UNA O'CONNOR
Directed by MICHAEL CURTIZ & WM. KEIGHLEY
Original Screen Play by Norman Reilly Raine and
Seton I. Miller • Based Upon Ancient Robin Hood
Legends • Music by Erich Wolfgang Korngold
A First National Picture

Now and for '39—WARNER BROS., the *Action* Company!



eviews and Previews

l in gorgeous
nedy."

— Metro-

y, with Cecilia
ge B. Seitz.
l comedy . . .
see it, young

O"—Selznick-

Directed by

ama . . . an
h Gary Cooper
."

"THE fewer the finer" may be slogan for producer-distribut public, in considering the p motion pictures. The produce forced to arbitrate on the question of the cl pictures and exhibitors may have a new cau namely a shortage of product.

A market demand has always r prices of product. No increase in mar is possible when the supply exceeds the but when the demand exceeds the su know the answer!

er Brothers.
ane. Directed

ld doctrine that
mix . . . con-
erous dose of

The elimination of "B" pictures wil the number of pictures scheduled for pi Double features and its kind certainly demand, and created a market for and zero pictures in order to provide a number of pictures to go around. It al to establish the market for foreign-ma

No company could or would secure give exhibitors double features of "A cation to present at the cost of one whether it is on a rental or a percenta

Any exhibitor who gives his patrons "A" pictures, plus, at the usual admiss should join the Suicide Squad preparin for the inevitable.

s

ronto office is
appears that he
a "sure thing".
but being the
s friends in on
horse, Barney
ound the track.
Toronto after

The policy of grading pictures wa through the policy of double bills, bot deadly!

anager G. M.
). It was the
f burglars.

; Angeles, pub-
Birthstone and
llowing as their
Oklahoma and
s; Charles E.
with offices in
for Eastern
with offices in
owa, Nebraska,
South Dakota,
with offices in
, Kentucky and
incinnati, Ohio.

THE producer-distributors should double bills for reasons too appare and especially since the grading po into a pitched battle.

The exhibitors are in favour of double it gives them a chance for bargaining, and a lower standard of values on some pictur the laziest form of showmanship on the n theatre offering consists of canned reels on

The public is in favour because it a bargain-hunter, endeavouring to secur at the lowest price, and the most for i

had hoped to
spectors called.

The "B" picture was the result of e competition, but now that the exhibit discovered that what they term as "cra more "crap" when it is doubled, that t to have a class "A" picture to help class along, that other exhibitors are giv ents in addition to double features, and

they were un-
d a wire to not

nager, Warner
panied by his

Harry Bercovitch, Rex Theatre, Regina, a Winnipeg visitor.

The Brothers Giaschi, Frank of the King George, Huntsville, Ont., and "A.M.", Strand, Bracebridge, Ont., touring the Toronto exchanges.

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"Say L."

John William Hoare, Superinte

x's "Kentucky Moonshine" Big $8.000 Rialto, Louisville.

The Broken

Robin Hood Held Over
Robin Hood Held Over
Robin Hood Held Over
Robin Hood Held Over
Robin Hood Held Over
Robin Hood Held Over
Robin Hood Held Over

Every Date!

Now and for '39—WARNER BROS.

GEST

Previews

Good • Fair or Poor

F PICTURES REVIEWED DURING MAY

★ ★ ★ +

TURES OF ROBIN HOOD" — Warner

Errol Flynn and Olivia de Havilland, with
e and Claude Rains. Directed by William
Michael Curtiz.
icture from any angle . . . will thrill young
acting tops . . . finest Technicolor yet to
en."

OUS LADY"—RKO Radio.
inger Rogers and James Stewart. Directed
vens.
ie grandest comedies Hollywood has pro-
mmy Stewart finally reaches the stardom
deserved . . . Ginger Rogers proves con-
'Stage Door' was no flash of success . . .
ed."

★ ★ ★

N A TEACUP"—London Films.
vien Leigh and Rex Harrison. Directed
lle and Ian Dalrymple.
production that deserves your special at-
e best English comedy since 'Ghost Goes
iantly acted . . . will appeal to family."

Y WE LIVE"—Metro-Goldwyn-Mayer.
onstance Bennett and Brian Aherne. Di-
nan Z. McLeod.
ldition to the cycle of dizzy, daffy comedies.
g angles, and a cast that will look handsome

URES OF TOM SAWYER"—Selznick-

ommy Kelly and Ann Gillis. Directed by
g.
e, clean entertainment throughout. Ex-
, and at times, sad, it is a picture that not
le small-towners will enjoy, but your soph-
polite as well."

★ ★

S ALWAYS A WOMAN"—Columbia.
an Blondell and Melvyn Douglas. Directed
Hall.
a good mystery story with a fast brand of
t times, verges on the slapstick. Direction

SCHOOL"—Warner Brothers.
umphrey Bogart and the "Dead End" kids,
e. Directed by Lew Seiler.
ıl preachment against the manner in which
rm schools are conducted . . . if you like
ire on the meaty side, you'll like this . . .
splendid work."

VORCE OF LADY X"—London Films.
Merle Oberon with Laurence Olivier. Di-
ı Whelan.

Looks Good For Three Weeks

Digest Reviews and Previews

"Another winner from Korda . . . filmed in gorgeous Technicolor . . . a smart, sophisticated comedy."

"YOU'RE ONLY YOUNG ONCE" — Metro-Goldwyn-Mayer.

Starring Lewis Stone and Mickey Rooney, with Cecilia Parker and Fay Holden. Directed by George B. Seitz.

"Skillful combination of melodrama and comedy . . . a picture that will be enjoyed by all who see it, young and old."

"ADVENTURES OF MARCO POLO"—Selznick-U.A.

Starring Gary Cooper and Sigrid Gurie. Directed by Archie Mayo.

"A romantic farce with attendant drama . . . an expensive, lavishly mounted photoplay, with Gary Cooper doing a good job as the romantic Venetian."

★ +

"MEN ARE SUCH FOOLS"—Warner Brothers.

Starring Wayne Morris and Priscilla Lane. Directed by Busby Berkeley.

"Swell little number . . . preaches the old doctrine that marriage and a career for a wife do not mix . . . contains quite a bit of action and a generous dose of comedy."

PERSONAL MUSINGS

BARNEY FOX, booker at RKO Toronto office is having a little trouble this week. It appears that he went out to Woodbine Wednesday to bet a "sure thing". Not only did he bet said "sure thing", but being the generous sort of fellow he is, he let all his friends in on it too. Ah, my friends, 'twas a brave horse, Barney picked. It chased all the other horses around the track.

Walter "Cloistered" Kennedy back in Toronto after a Western jaunt.

The Rio Theatre, Essex, Ont., Manager G. M. Hogarth, was robbed last week of $200. It was the second time they have been the victims of burglars.

The Horoscope Publishing Co. of Los Angeles, publishers of Birthday Greeting Cards with Birthstone and Personal Horoscope, has appointed the following as their representatives: Carl F. Mock, for Texas, Oklahoma and Arkansas, with offices in Dallas, Texas; Charles E. Goodwin, for Upper New York State, with offices in Buffalo, N.Y.; Benjamin R. Tolmas for Eastern Pennsylvania, New Jersey and Delaware, with offices in Philadelphia, Pa.; Mayer H. Mosky for Iowa, Nebraska, Missouri, Kansas, Minnesota, North and South Dakota, Colorado, New Mexico and Wyoming, with offices in Omaha, Neb.; and Morris Segal for Ohio, Kentucky and Southern West Virginia, with offices in Cincinnati, Ohio.

Many assistant operators in Ontario had hoped to try their exams recently when the theatre inspectors called. However, for some reason not disclosed, they were unable to do so, when the inspectors received a wire to not give any exams.

Lew McKenzie, Saint John Branch Manager, Warner Bros., in Toronto on a holiday, accompanied by his charming wife, Katharine.

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"Jay L."

Canada Pays Twenty Percent of Gross Film Revenue In Taxation

Rates as 4% Territory. Gross Yearly Revenue, $30,000,000; Taxes, $6,000,000.

THE Digest's Editor is such a publicizing Canadian that she misses no opportunity of telling the world how great, grand and glorious is this Canada of ours; and so it is, because its people combine the Conservatism of the British with the aggressive qualities of the Americans.

We were particuarly proud of the fact that United Artists, Warner Bros., 20th Century-Fox and RKO went over the top of quota requirements in recent sales drive competitions which included the whole of the American continent.

Canada Cleans-up On Sales

We boasted that this five percent territory presented such a sales clean-up that we forgot to mention, that as a matter of fact, Canada is a two percent territory as we percentage the world's area of our Industry, and a four percent territory in relationship to the United States.

Statistical figures stare us in the face. For instance, the average yearly attendance at motion picture theatres in Great Britain numbers 23,000,000; United States 85,000,000; Canada 2,500,000. Total 110,000,000 which makes Canada 2 percent in attendance.

The number of theatres are as follows: Canada—1180, United States—16,251, Great Britain—5,000.

Taxes 20 percent of Revenue

If Canada had 1,280 theatres she would just represent two percent of the theatres covered by the territories as named, which excludes other theatres in other parts of the world from being taken into this percentage rating. But, if we are but four percent for picture costs rating, and two percent on attendance, and the number of theatres, we are at the head of the list for taxation, for believe it or not this Motion Picture Industry of ours pays over 20 percent of its gross receipts to some form of government in taxation. This is more than any other Industry or enterprise pays in the Dominion in proportion to its intake.

Our total receipts average $30,000,000 a year. Our total taxes which are paid to Dominion, Provincial, Municipal Governments, and which include laboratories, distributor, theatre-owners, etc., but which exclude personal income taxation, amount to $6,000,000 annually.

Recently, we have been hearing a good deal of complaint from exhibitors of the Province of Quebec, who claim that 80% of their net profits go in the payment of taxation; and that taxes are so high that Relief must come in order that exhibitors may be able to remain in business.

WARNER BROS. TO PRODUCE 52 FEATURES

Warner Bros. will produce fifty-two features in place of the sixty as earlier announced at the New York Sales Convention, for the season of 1938-39. The budget as arranged will cover the 52 productions. Grad L. Sears, Sales Chief for Warner Bros. made the reduced picture program announcement at the South-West Sales Convention following a conference with Jack Warner and Hal Wallis at the studio.

Judgment Reserved On "Bank at Monte Carlo"

Appellate Court of Ontario has reserved judgment in the appeal of Twentieth Century-Fox and Famous Players Canadian Corporation in respect to damages of $1,046 awarded by the late Mr. Justice McEvoy in favor of Francis Day and Hunter Limited, owners of the copyright of "The Man Who Broke the Bank at Monte Carlo".

A. J. Thompson, K.C., appeared for appellants and T. N. Phelan, K.C., for the respondents. Mr. Thompson's contention was that the title of the song could, without violation of copyrights, be applied to different classes of work. England has no copyright of title, "Man Who Broke the Bank at Monte Carlo". In Canada there is a copyright of this title.

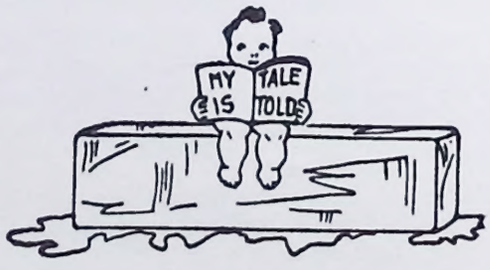
The legal argument centred around the fact that Canada came under the British Copyright Act of 1842, passed before Confederation, and under an amendment to the Copyright Act passed in 1882 which stated that in order to protect authors' rights, restriction of public performance of musical works must be printed on every copy by stating that the author reserved these rights for himself. Twentieth Century-Fox produced a picture, "The Man Who Broke the Bank at Monte Carlo."

Ray Presents

(*Continued from Page* 5)

GET this into your head. No man with whom you have been doing business will refuse to speak to you, and if an interview is inconvenient, write a letter, write two, or three letters. Write your salesman, write your district chief, write his chief, write the head office, the production office. In the finish they will conclude that you are right and set things right. You can advise a few more exhibitors who have the same kind of grievances to write.

People have written to the King of England, to the President of the United States; our producer-distributors are just as human. Try them for a change instead of shell-out exhibitors; and as for you, producer-distributors, talk to your exhibitors for a change, in place of Wall Street. The money of the Industry, is still at the Box-office and its measure in gold cannot be "taped".



RKO Radio's "Vivacious Lady" Fine $26,000, Palace, Chicago

British Film Digest

By WARD SHAFTESBURY

ACCORDING to the latest reports to reach this office, the "We Three" idea is no longer being confined to the mere film *story*. Apparently, the conception is beginning to assume a more national proportion. Just as the Rome-Berlin political axis has, of late, shown certain London tendencies, so the London-Rome film axis, inaugurated last year, has tended, in recent weeks, to link up with Berlin. At present, Herr Hitler has a delegation in the Roman studios exploring the possibilities of a production tie-up with the German studios. It is no secret that both countries are extremely anxious to capture a larger share of the United Kingdom film business.

In the meantime, Two Cities Films, Ltd. has completed a deal with the Studio of Tirrenia (Italy) which provides for a series of seven pictures to be made by the British company in Italy. First of these, "Thirteen Men and a Gun" is a war film with an all-male cast. Forty Englishmen, both actors and technicians, are at present in Italy working on the picture.

As far as the British Box-Office is concerned, the main difficulty with dictator-country pictures is their too-great engrossment in the gentle arts of war, Empire building and State-craft. The axe grinds too loudly and too long. Italian studios have recently completed a number of pictures all hinting, and some none too subtly, at the glories of the greater Empire. Mussolini's son has just completed "Luciano Serra" produced in East Africa —Tobias Films is actively engaged on an Abyssinian story dealing with the arrival of the Italians and the subsequent conquest of Ethiopia — Roma Films is planning a 'spectacular' African story, "Equator".

Actually, an English-starred film with an Italo-African background should have great appeal in the United Kingdom and also in the States. The story itself is the catch — it is so difficult, since the dictators are so avid of every morsel of propaganda that can be disseminated, for the producers to refrain from flaunting their national conquests and aspirations in the world's face. Then again the home market must be pleased — and naturally the Italians are keenly interested in their soldiers' deeds of derring-do.

SHORT SHOTS

LAST WEEK, Sidney R. Kent, President of 20th-Fox formally opened the company's magnificent new building in Soho Square — the opening synchronised with the organization's British Convention . . . The "Picturegoer's Weekly" Gold Medal for the finest woman's acting performance of the year went to Anna Neagle for her star role in "Victoria The Great" — the award was open to world-wide competition — 37% of the votes went to Miss Neagle — her co-star, Anton Walbrook, came second among the men . . . Warner Baxter is rumoured to be Gracie Fields' leading man in her new comedy-musical, "Picadilly Circus" . . . Korda's "The Drum" goes on for a sixth week at Odeon's Leicester Square theatre . . . Michael Bartlett has been signed up by Schertzinger to play a main role in "The Mikado" . . . At the highly-successful "Snow White" premiere in Paris, Disney-figures silk scarves were given to each lady present . . . Derrick de Marney, who made a hit with Hollywood in "Victoria the Great" has just returned from the sunshine heaven after co-starring with Joan Fontaine in "The Muddled Deal" . . . Maurice Ostrer, one of the famous Ostrer brothers, has just secured the film rights of Richard Essex's mystery "Lessinger" novels . . . Olivia de Havilland, who skipped out on the press boys when she came to London a month ago, staged a mysterious re-appearance last week plus a placating-party at the Savoy— the scribblers were appeased when the little doll answered a two hour cross-examination with nary a nasty word nor a squeamish answer . . . Meanwhile "The Era", powerful Exhibitor organ, headlined the need for a big 'propaganda push' to get ten million more people to go to the cinemas— Like the "Drink More Milk" and "Stick to Beer" campaigns the "See More Films" drive is planned to be built around a central idea with publicity by means of Press advertising and posters.

NEWS FROM THE STUDIOS

THE FUTURE looks bright for a trio of Gaumont-British-Gainsborough stars — Margaret Lockwood, Renee Houston and Lilli Palmer — who are to keep the merriment going in the new musical "A Girl Must Live" which is scheduled for production at Islington — the film will screenify the dippy doings of a worldly chorine, a giddy gold-digger and a shy ex-cloakroom attendant with a theatre-fetish, as Freud would have it . . . Sandy Powell, British Lion's apple-cheeked clown is comicing through his third starring picture for Sam Smith's company — it's called "I've Got a Horse" and has to do with Sandy (Bookmaker) Powell's wager-won horse which Sandy trains for racing . . . Up at Elstree, Stanley Lupino is playboy-ing through the screen version of the Gaiety Theatre musical comedy "Hold My Hand" with Polly Ward, Sally Gray and Barbara Blair as leading-ladies and Fred Emney adding to the mirth . . . Dame Marie Tempest veteran star of the London stage has returned from Cornwall where she has been filming exterior scenes for "Yellow Sands" — the rest of the unit have been filming moorland and farmhouse scenes at Totnes in Devon . . . The new international spy picture, "Lost Lady", has been causing a lot of excitement over at Islington — action has been fast and rather bloody with 21 large panes of glass already shattered, two actors histrionically "killed" and numerous casualties — in one scene Naunton Wayne stood with his head pressed to the side of a broken window on the transcontinental express — at a given sign he aimed and fired through the splintered glass — suddenly 'the enemy' returned fire and the rest of the glass shattered just as Wayne jerked his head away missing laceration by a matter of a half an inch . . . Wendy Hiller, playing Eliza Doolittle in the G. B. Shaw-Pascal-Howard production of "Pygmalion" was plastered on the studio set yesterday — at the orders of the producer, too! — however poor Wendy was plastered with mud, not champagne and all for the sake of Realism — the mud is used in a shot showing the various stages of Eliza's transformation from a gutter-snipe street-urchin into a sequin-wagging society beauty.

Eight British Pictures Booked For Orpheum, Montreal

M-G-M Completes 4
SHEARER FILM HEADS LIST

Among the four pictures which M-G-M announces as completed is "Marie Antoinette" which marks the return of Norma Shearer to the screen. The cast includes 152 players among which is featured Tyrone Power, Joseph Schildkraut, John Barrymore, Anita Louise, Robert Morley, George Zucco, Nigel Bruce, Alma Kruger, etc. "Lord Jeff" with Freddie Bartholomew, Mickey Rooney, Emma Dunn, etc., is also completed.

"One Woman's Answer" with Herbert Marshall, Virginia Bruce, Mary Astor, Janet Beecher, Marjorie Rambeau, etc., finished, and "Shopworn Angel" with Margaret Sullavan, James Stewart, Walter Pidgeon, Hattie McDaniel, Charles D. Brown, is the fourth.

J. Arthur Hirsch Selected AMPA Committee

The Associated Moving Picture Advertisers will hold their third annual session for an Award on picture merit at New York. J. Arthur Hirsch, managing director of Consolidated Theatres Ltd., Montreal, has been selected to form one of the Committee of judges who this year will make its award for artistic merit of production, creative and progressive material and value from public's reaction standpoint, irrespective of box - office receipts.

Paramount Earnings Improve

Paramount Pictures net earnings for 1937 were equivalent to $1.97 a share on the common stock as compared with $1.18 a share for 1936. Dividends were paid on the first and second preferred stocks, but no dividends on common declared for payment.

Famous Players Canadian Reduces Funded Debt

June 1st is the date for the second installment due on the Famous Players Canadian Theatres funded debt in the form of serial bonds amounting to $2,100,000. The payment calls for $350,000 being the second of such payments, the first having fallen due on June 1st of 1937. The debt is now reduced to $1,400,000 covering the serial bonds operations of theatres, showing improvement over previous year.

EXHIBITORS CHOOSE BEST PICTURES

"THE AWFUL TRUTH"

"As far as entertainment value is concerned, this picture is 100%. I personally think it was the most entertaining picture I have seen in quite some time."

ALBERT DANIELS,
Manager, Royal Theatre,
Toronto, Ont.

"LOVE UNDER FIRE"

"'LOVE UNDER FIRE' was our best for April. Comments were good, the picture did unusually good business, and the patrons enjoyed it very much."

SAM FIRESTONE,
Manager, Aster Theatre,
Toronto, Ont.

"DEAD END"

"This is a good picture, and well directed. The 'Dead End' boys were a particular cause of attraction. The results at the box-office were more than satisfactory."

MAX STARKMAN,
Manager, Allenby Theatre,
Toronto, Ont.

"HURRICANE"

"This picture was highly exploited and grossed the most for the month at our theatre. Is better than average entertainment."

JACK ALEXANDER,
Manager, Oriole Theatre,
Toronto, Ont.

MICHAEL BALCON MAY PRODUCE INDEPENDENTLY

Michael Balcon may enter the independent producing field following the expiration of his contract this year with M-G-M's British studios. Mr. Balcon was formerly supervisor of productions with Gaumont - British. Producing activities of G-B were built up on the quality of the Gainsborough Productions, the latter which were directly under the supervision of Balcon.

Allen's Profits Up

Toronto, Ont. — Allen's Toronto Theatres, operating four houses, report a net of $18,201 for 1937 as compared with $16,309 for 1936. Both figures represented $4.00 a share. The deficit of $331,837, incurred during the depression years is gradually being cut down.

Toronto, Ont.

Messrs. Persike and Applebaum have a $7,000 alteration and additions job on a theatre at 225 Queen Street East.

THEATRE CONSTRUCTION AND RENOVATION

Delhi, Ont.

Mr. and Mrs. Richard D'Hondt, Delhi, R.R., will build a theatre on their highway property next to Van Goethem's. Construction is already in progress and contract calls for completion by end of July. The building will be of red brick, 34 feet by 115 feet, and will seat 450. Avery, Ley and Hyslop of Toronto got the contract.

Larder Lake, Ont.

Theatre Holding Company Limited, Royal Bank Building, Toronto, has given Electrical Maintenance and Repairs Company Limited of Toronto, contract for theatre under construction here. H. G. Duerr is architect, general contractor, Hill-Clark Francis, Limited of Kirkland Lake. Roof is at present going on. The theatre will be called The Capitol, and will seat 500. The entrance will be on Godfrey Street and five stores will face Government Road. Three apartments and a dance hall will be on the second floor. Opening June 1st.

Edmonton, Alta.

Work starts immediately on the construction of a $40,000 theatre on the east side of 124th Street, just north of 107th Avenue. The building permit has been issued and tenders called. The owner of the theatre is T. Cherniak of Saskatoon. A. M. Robinson of Coronation, and formerly of Calgary, will be the manager. The building will be a two-storey one, the theatre stucco, and thoroughly modern. Messrs. G. H. MacDonald and H. A. Magoon are the architects. Built as a neighborhood house, the theatre which will be completed by the middle of July, will be air-conditioned with concealed lighting arrangements, up-to-date, first class sound installation and earphones for patrons whose hearing is deficient. The theatre will be built on the Groat Estate block, and will cover one lot with parking facilities on the lot immediately adjacent.

The plans call for a building 40 feet by 120 feet. It is in a large residential section and will be set back to conform with the lay-out of the district. It will be the first of the "neighborhood" type to be constructed there. The front of the theatre will be done in colored stucco with "vitro" glass.

Cabri, Sask.

Repairs have been made to the Rex Theatre and equipment improved with the installation of sound. George Riddler of Eston will be manager, taking over the operation of the theatre from the town, with shows Friday and Saturday. Other evenings will leave the theatre available for general town activities.

Harry, Jack and Albert Warner Dissolve Personal Holding Companies

Stop! Look! Listen!

Educational takes advantage of "B" grading cessation, England, to announce, as imprinted on the Daily Film Renter's wrapper, "Here Lies Old Second Feature, Educational Comedies Laughed Him To Death". It's clever advertising and prophetic of coming events. We are likely to be short on longs and long on shorts, which is all to the good providing the exhibitor is not caught short . . . As Shakespeare said, "To 'B' or not to 'B' that is the question". The K.R.S. and the C.E.A. found it an irritation! . . . Talking of 'poisonous stars' Henry Nathanson, Manager of Regal Films, distributors of M-G-M and Korda-London Films, interviewed on star value by The Digest, declares every exhibitor asks who is in the picture before he buys product. "Even at our preview showings patrons ask for names of players and stars. Stars and players seldom fail to please if they have the right kind of material, their draw is, of course, dependent on the material with which they are surrounded. Not all publicity is good publicity, some of it is destructive. My experience has been that exhibitors will pay more for pictures with star value; and some of the very stars which have been named as 'poisonous' by the Brandt exhibitors are the stars of the pictures for which there is the greatest demand." . . . Jule Allen, pioneer exhibitor and distributor of films in Canada and one of the executives of Premier Theatres Limited, states in an interview with The Digest, that Columbia has been most fortunate in their selection of stars. "I could give you several examples of such success. Grace Moore in 'One Night of Love' is picture history. Katharine Hepburn is reported as a sensation in 'Holiday', Columbia's latest — the press of Hollywood acclaim her 'comeback'. Janet Gaynor in United Artists' 'Star Is Born' is another example of a 'comeback'. Capra will make a great picture with Marlene Dietrich as George Sand in 'The Life of Chopin'. Remember Bebe Daniels in 'Rio Rita'? Just see what M-G-M did with William Powell by a careful selection of story material! As for Greta Garbo everyone knows that her name stands for greatness of ability, a Garbo picture is a stamp of quality. To criticize Garbo is nonsense. Some stars are over-publicized and over-paid, having passed the peak of their drawing ability. These stars should recognize this and adjust their contracts, because exhibitors know just how these stars stand with the public. Other stars are worth all that they are paid" . . . Jean Hersholt and members of the 20th Century-Fox third Quintuplet picture staff passed through Toronto en-route for production at Callander, Ontario . . . Jack Feeley pleaded guilty in police court at Sudbury to two charges following his arrest while attempting to blow up the safe at Capitol Theatre's office . . . Grand National will operate as distributing unit only. Will no longer produce, according to a trustees' statement as announced at a creditors' meeting. G-B and Monogram both offered deals to absorb. Deals refused . . . Harry Brandt's new plan for raising the dead box-office to life is the substitution of double features with vaudeville. The official organ of the I.T.O.A. states that "playing a 'B' picture with an 'A' picture is like taking a ham sandwich to a banquet". It's old history and The Digest's views on Double Features! . . . . The members of Allied Associated met in convention at Pittsburgh. Allied states that there will be a federal investigation of the motion picture industry soon . . . William F. Rodgers, General Sales Manager of M-G-M presented a plan of producer - distributor - exhibitor co-operation with the result that Allied authorized committee to meet with distributors. Mr. Rodgers pledges his company's support . . . The passage of the Neely Bill by the Senate may cause some exhibitors to cheer, but the harvest of the sowing is still to be gathered in. Higher cost of distribution means higher cost of pictures. Legislative interest in motion pictures has in the past meant increased taxation. Increased taxation is generally levelled at theatres! . . . Interest is again directing itself to St. Catharines and Chatham, Ont. for theatre expansion. Mrs. O. McMaster, majority interest in Griffin Theatres Ltd., states that her company's lease with Famous Players Canadian will soon expire and that several Independent theatre owners have made offers for the two theatres situated in these towns and for one at Woodstock. The Woodstock theatre has been closed temporarily for repairs. It will reopen August 1st. Meanwhile local interests have been investigating a rumoured report of shortage of product which necessitates the closing of theatres in business districts, which merchants declare depreciates their properties and business . . . Two amendments to Neely Bill met with no opposition from its sponsor in the Senate. One excluded short subjects from inclusion in clauses of the Bill, and the other eliminated the exhibitors' privilege to take or reject any film which differed from the synopsis as submitted and to bring suit for damages. The bill which prohibits blind and block booking, has to go to the House, similar to our Commons then back to the Senate to be passed. The vote on its passage was vocal, no count being made. Two roll calls were necessary before a quorum was obtained . . . James R. (Jimmy) Grainger elected president and general manager, Republic Pictures . . . Helen Hayes states she is definitely through with films. Neither David Selznick, nor Mervyn LeRoy, nor $85,000 for one film could make Miss Hayes change her mind. Helen Hayes is right! She is a great theatre draw on the stage, and no particular draw for motion pictures box-office despite the fact that she is a superlative artist . . . Hopie (Mrs. Jaydee) Williams, will be managing chairman of the Quigley Publications of London, England, a company recently formed . . . Ray Lewis accompanied by Merryl Lea will sail for England on June 17th . . . Louis Morris and Mrs. Morris are in New York. Mr. Morris is one of England's leading independent exhibitors, whose chain of theatres include key spots and ace locations. Mr. Morris is interested in World-Wide Pictures, a distributing company and is the London publisher of a new magazine called, "Pleasure". Mr. Morris will visit Canada, in which he has always been interested for theatre expansion . . . A daughter was born to Mrs. Axler, daughter of Jule Allen. The baby now three weeks old has been named Gail Joan. Jule is so glad he is a grandfather that he told Ray Lewis it made him feel ten years younger! . . . The Motion Picture Industry at Toronto was well represented at the opening of the new Holy Blossom Temple. The dedication services had among its distinguished guests, His Excellency, Lord Tweedsmuir (John Buchan), Governor-General of Canada, and His Honor, Albert Matthews, Lieutenant Governor of Ontario. At the Sunday services Rabbi Eisendrath had as his speakers, ministers of Christian churches of all denominations, as well as representative rabbis of various synagogues and institutions . . . John Hazza and his "racing horses" visited Toronto. John talks horse-racing as eloquently as he talks picture business. He told The Digest that the Alberta crop was a humdinger, all it needs is a little more sunshine and protection from possible hail. "It will make Canada prosperous," said John, "that crop and our oil." "Talking of oil," said John, "the B. & A. are to build a refinery in Turner Valley, and think of what this oil means to England with the Mexican situation as it is. Right from Alberta to Vancouver and across or via the Great Lakes. Canada is coming into its own and what a God-send we will be to England." . . . Talking of horse-racing, a visit to the Woodbine on the Queen's Birthday, May 24th, Victoria Day, revealed most of the Toronto film celebrities there, including a few who were once prominent in our midst, namely, Vincent McCabe and Percy Taylor, formerly of F.B.O . . . . Louisiana House of Representatives received a bill which proposes to tax theatres, of over 500 seats, $500 a year for the showing of commercial pictures . . . . Montagu Marks, General Manager of London Films and personal representative of Alexander Korda, gave Australia a plan of a reciprocal arrangement for making distribution of Australian pictures possible in America. We wonder why he did not propose a plan for the distribution of Australian pictures in Great Britain! . . . There is an armistice in the "Grading" battle, both sides gave in to what they considered their "Rights". Both sides have Rights, therefore it should not be so difficult for each association to see the other's viewpoint and needs. Better that we should conciliate each other than that we should be government-stamped for grading!

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Bill Amending Canadian Copyright Act Given Third Reading In Senate. Returned To House Of Commons For Approval

Washington Film Digest

By GEORGE W. MEHRTENS

BLOCK-BOOKING BILL PASSES U. S. SENATE

Washington, D.C., May 23—(*CTP*) WITHOUT a record vote on the floor of the Senate and amid a veritable tidal wave of controversy both pro and con, the Senate last week (Tuesday) passed the long pending Neely block-booking bill.

The vote was effected by Yeas and Nays despite a deluge of questions raised as to the measure's constitutionality, while other senators pointed out that hearings had not been held on the bill before committees of either House at any time during the present session of Congress.

Leading the attack on the bill was Senator Wallace H. White, Maine Republican, who read a lengthy letter written by Maine's former Governor Carl E. Milliken, now with the Hayes Office. Senator William E. Borah of Idaho raised the question as to the measure's constitutionality.

In line with Borah's constitutional questions the Idahoan offered an amendment accepted by Senator Neely, which struck from the bill the last paragraph of section 4 which would have permitted the exhibitor to cancel leases for films incorrectly described in the synopsis presented by the distributor.

The omitted portion cancelled under the amendment offered by the Senate's leading constitutional authority stated: "If a motion picture film which has been leased in Commerce is substantially different from the synopsis hereinabove required, whether in respect to the outline or the manner of treatment, the exhibitor may cancel the lease as to such film without liability for breach of contract and may recover all damages suffered by him because of such difference, or he may retain the lease and recover damages as for a breach of warranty."

The Idaho Senator held that a man had a right to sue without this section being in the bill.

NEELY CHARGES ANTI-TRUST

IN an opening speech asking the Senate to procede to immediate consideration of his block-booking bill, Neely charged that under block-booking the Clayton anti-trust act was being violated, contending that the purchaser did not know what he was buying.

"We are seeking to apply to the motion picture industry the same rules as apply to other industries," Neely shouted as he reviewed lengthy groups of women's clubs and other organizations endorsing his bill. Neely shrewdly realized recounting these organizations' names would prove potent medicine for his colleagues in a campaign year.

Contending his bill "will open the way to new independent productions", Neely launched into an attack on high salaries paid to picture stars and executives.

When questioned by several Senators as to whether his bill dealt directly with the salary problem, Neely replied: "Directly no, indirectly, yes." The West Virginia Senator levelled his guns at "motion picture lobby and propaganda" and charged that his measure was being opposed by Hollywood because of fear that high salaries would be lowered through economy.

ECHO IN THE HOUSE

IMMEDIATELY following news of the Neely Bill's success in the Senate, there came an echo in the House of Representatives where Congressman Pettengill's companion measure is pending. Chances of the enactment of the block-booking measure at this session dimmed considerably when Chairman Clarence Lea of California, of the Lower House Interstate Commerce Commission announced that it seemed impossible that any action will be taken by his committee on this bill.

According to procedure the bill must be passed by both Houses of Congress before becoming a law. Failure to obtain action in both houses means the bill dies with the session and must be re-introduced in both Houses again at the next Congress in 1939.

Lea added that the policy of the committee under his chairmanship was not to report out a bill without a hearing.

Meanwhile Congressman Samuel Pettengill, Indiana Democrat, co-sponsor of the block booking measure, and member of the committee, declared he did not feel further hearings were required of the bill. He said he anticipated it would be reported out without a hearing as was done with the Neely Bill in the Senate.

"Every effort will be made by me and by the friends of the bill to have the legislation brought before the House at the earliest possible opportunity," Pettengill said, "when brought before the House it will pass by a huge majority."

HAYS OFFICE SPEAKS

NOT more than a few hours after Pettengill's statement the House Interstate and Foreign Commerce Committee was in receipt of a letter signed by Charles Pettijohn, of the Motion Picture Producers and Distributors here, asking to be notified when hearings would be held by the House on the Pettengill Bill. This action on the part of the Hays office is of course interpreted here as a move to stymie further action and delay by calling hearings if there should be any possibility of the bill going through the House of Representatives and therefore becoming a law at this session of Congress.

Along with the Hays office, Ed Kuykendall, prexy of the Motion Picture Theatre Owners of America, announced from his suite at the historic Willard Hotel here that he would join in the drive for further hearings on the block-booking bill before it became a law. It is understood that the stategy of the House concerning the pending bill will be decided upon the return of Congressman Pettengill from a trip to New York.

* * *

Registering a slight drop from last year's total over the same period, admission's taxes for the month of April, 1938 totaled $1,541,517.87, it was revealed here today according to the Treasury Department Bureau of Internal Revenue.

Tax receipts for the same period last year according to the bureau totaled $1,589,682.52 representing a drop of $48,164.65 for this year.

For the third New York district or Broadway area however, the survey revealed that admissions increased for April, 1938 totaling $596,035.34 an increase of $8,156.88 over the same month in 1937.

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